

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	NO. CR14-341RSL
)	
Plaintiff,)	ORDER GRANTING DEFENSE
)	MOTION TO CONTINUE TRIAL
vs.)	DATE
)	
LEROY WILLIAMS,)	
)	
Defendant.)	

THE COURT has considered defendant's unopposed motion to continue the trial date and pretrial motions due date and the government's response and attachment. Based upon the facts set forth in defendant's motion, which are hereby incorporated by reference and adopted as findings of fact, the Court finds that:

- (a) due to the current conflict defense counsel faces with another trial set on the same date as the instant matter, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, taking into account the exercise of due diligence, and furthermore

1 would unreasonably deny defendant continuity of counsel, as set forth in 18
2 U.S.C. § 3161(h)(7)(B)(iv);

3 (b) a failure to grant such a continuance in this proceeding would likely result in
4 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

5 (c) the additional time requested is a reasonable period of delay, as the defendant
6 requested more time to prepare for trial, to investigate the matter, to gather
7 evidence material to the defense, and to consider possible defenses;

8 (d) the ends of justice will best be served by a continuance, and the ends of
9 justice outweigh the best interests of the public and the defendant in any
10 speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A);

11 (e) the additional time requested between the current trial date of November 16,
12 2015, and the new trial date of February 8, 2016, is necessary to provide
13 counsel for the defendant reasonable time necessary to prepare for trial,
14 considering counsel's schedule and all of the facts set forth above; and

15 (f) the period of time from the current trial date of November 16, 2015, up to
16 and including the new proposed trial date of February 8, 2016, shall be
17 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7).

18 IT IS THEREFORE ORDERED that the trial date in this matter is continued to
19 February 8, 2016, and that pretrial motions shall be filed no later than January 13, 2016.

20
21 DONE this 28th day of September, 2015.

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24 Robert S. Lasnik
25 United States District Judge
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